

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENNETH SEGAL;)
ADAM SEGAL, as Trustee for) Civil Action
and on Behalf of the Karen) No. 07-CV-04647
and Kenneth Segal Descendents)
Trust; and)
SEGAL AND MOREL, INC.,)
)
 Plaintiffs)
)
 vs.)
)
STRAUSSER ENTERPRISES, INC.;)
GARY STRAUSSER; and)
LEONARD MELLON,)
)
 Defendants)

O R D E R

NOW, this 19th day of November, 2009, upon
consideration of the following motions and documents:

- (1) Defendants' Joint Motion to Dismiss or Stay Litigation and Compel Arbitration, which motion was filed January 4, 2008;
- (2) Supplemental Memorandum in Support of Defendants' Joint Motion to Dismiss or Stay Litigation and Compel Arbitration, which memorandum was filed January 9, 2008;
- (3) Plaintiffs' Opposition to Defendants' Joint Motion to Dismiss or Stay Litigation and Compel Arbitration, which opposition was filed January 31, 2008;
- (4) Reply Memorandum of Defendant Leonard Mellon, Esquire in Support of Defendants' Joint Motion to Dismiss or Stay Litigation and Compel Arbitration, which reply was filed September 2, 2008;
- (5) Plaintiffs' Supplemental Opposition to Defendant Leonard Mellon's Motion to Dismiss or Stay Litigation and Compel Arbitration,

which supplemental opposition was filed October 10, 2008;

- (6) Supplemental Memorandum of Defendant Leonard Mellon, Esq. In Support of Motion to Dismiss or Stay Litigation and Compel Arbitration, which supplemental memorandum was filed October 11, 2008; and
- (7) Supplemental Reply Memorandum of Defendant Leonard Mellon, Esq. In Support of Motion to Dismiss or Stay Litigation and Compel Arbitration, which supplemental reply memorandum was filed October 28, 2008;

and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that Defendants' Joint Motion to Dismiss or Stay Litigation and Compel Arbitration is denied.

IT IS FURTHER ORDERED that defendant Leonard Mellon shall have until on or before December 10, 2009 to answer plaintiffs' Complaint in this matter.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge